

KENNETH E. KELLER (SBN: 71450) (kkeller@kksrr.com)  
ANNE E. KEARNS (SBN: 183336) (akearns@kksrr.com)  
KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP  
114 Sansome Street, 4<sup>th</sup> Floor  
San Francisco, CA 94104  
Telephone: (415) 249-8330  
Facsimile: (415) 249-8333

\*\*E-filed 5/3/06\*\*

Attorneys for Plaintiff BERCUT-VANDERVOORT & CO

KENNETH B. WILSON (SBN 130009) (kwilson@perkinscoie.com)  
K.C. ALLAN (SBN 231866) (kallan@perkinscoie.com)  
PERKINS COIE LLP  
180 Townsend Street, Third Floor  
San Francisco, CA 94107-1909  
Telephone: (415) 344-7000  
Facsimile: (415) 344-7050

Attorneys for Defendant MAISON TARRIDE  
LEDROIT & CIE

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

## SAN JOSE DIVISION

BERCUT-VANDERVOORT & CO., a  
California corporation.

) Case No.: C-05-5122 JF

)

- ) STIPULATION AND [PROPOSED]
- ) ORDER TO CONTINUE MOTION TO
- ) DISMISS HEARING AND CASE
- ) MANAGEMENT CONFERENCE

) Date of initial hearings: May 5, 2006

) Time: 9:00 a.m.

) Judge: The Hon

) Courtroom: 3

1

1

1

1

MAISON TARRIDE LEDROIT & CIE, a  
French company.

Defendant.

1 Pursuant to Civil L.R., Rule 16-2(e), Plaintiff BERCUT-VANDERVOORT & CO.  
2 (“Plaintiff”) and Defendant MAISON TARRIDE LEDROIT & CIE (“Defendant”) by and  
3 through their respective counsel, hereby stipulate, effective upon order of the Court, as follows:

4 The Case Management Conference was initially scheduled for April 14, 2006 at 10:30 a.m.  
5 in the above-referenced courtroom.

6 Defendant’s Motion to Dismiss is currently scheduled for May 5, 2006 at 9:00 a.m.

7 Because the Court was not available on April 14, 2006, on March 10, 2006, the parties  
8 agreed, by stipulation and order to continue the Case Management Conference to May 5, 2006, the  
9 same date at Defendant’s Motion to Dismiss.

10 A personal obligation for Plaintiff’s lead counsel, Kenneth Keller, however, has since arisen  
11 which conflicts with the May 5, 2006 hearing date.

12 The parties therefore agree and stipulate, upon order of the Court, to continue both the  
13 Defendants’ Motion to Dismiss and the Case Management Conference from May 5, 2006 to May  
14 26, 2006, at 9:00 a.m., the first available hearing date.

16 Dated: April 26, 2006 KRIEG, KELLER, SLOAN, REILEY & ROMAN LLP

17 By: \_\_\_\_\_ /S/ \_\_\_\_\_  
18 ANNE E. KEARNS  
19 Attorneys for Plaintiff BERCUT-VANDERVOORT & Co.

20 Dated: April 26, 2006 PERKINS COIE LLP

22 By: \_\_\_\_\_ /S/ \_\_\_\_\_  
23 K.C. ALLAN  
24 Attorneys for Defendant MAISON TARRIDE LEDROIT & CIE

25 PURSUANT TO STIPULATION, IT IS SO ORDERED

26 Date: 5/1/06

  
27 THE HONORABLE JEREMY FOGEL  
28 UNITED STATES DISTRICT JUDGE

72060